

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

LOUIS MERRIWEATHER

Petitioner

vs.

JAMES ERWIN

Respondent

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Case Number: 1:02-cv-00369

Senior District Judge S. Arthur Spiegel

JUDGMENT IN A CIVIL CASE

Decision by Court: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

. . . the Court hereby ADOPTS the Magistrate Judge's Report and AFFIRMS the Magistrate Judge's recommended decision (doc. 35). In so doing, Petitioner's Motion to Voluntarily Dismiss His Writ of Habeas Corpus (doc. 34) is GRANTED without prejudice and Petitioner's Motion to "Advance Cause" (doc. 32) and Motion to Strike (doc. 33) are DENIED since they are rendered MOOT by the granting of Petitioner's Motion to Voluntarily Dismiss without prejudice.

2/14/05

James Bonini, Clerk

s/Kevin Moser

Kevin Moser

Deputy Clerk